

SECTION A – MATTERS FOR DECISION

Planning Applications Recommended For Approval

<u>APPLICATION NO:</u> P2015/0027	<u>DATE:</u> 22/06/2015
PROPOSAL:	Residential development for 13 dwellings plus associated works including access and parking.
LOCATION:	Former Bay View Social Club, The Princess Margaret Way, Sandfields, Port Talbot SA12 7LS
APPLICANT:	Hale Construction
TYPE:	Full Plans
WARD:	Sandfields West

Background Information:

Members should be aware that Cllr Paddison requested on 11th March 2015 that the application be determined via the Planning Committee due to the potential detrimental impact upon the amenity and highway access arrangements of neighbouring dwellings.

Planning History:

The site has the following relevant planning history:

P2007/1382	Five Storey Apartment building comprising 29 flats and 5 retail units (Class A1 and A3) at ground floor level and associated parking to rear and side, service area to front and landscaping	Approved 13/11/12
P2007/0225	Outline Residential development	Approved 03/04/07

Publicity and Responses:

8 neighbouring properties were consulted and 3 site notices were displayed on site. The application was also advertised in the Local Press on 28 February 2015.

In response, one letter of objection has been received from a neighbouring property, which can be summarised as follows:

- That the proposed development overrides the legal right of access from Princess Margaret Way to the neighbouring property and the neighbouring property's garage. The objection refers to layout plan 1491-4-3 Rev C.

Natural Resources Wales: No Objection, Informative to be added to decision notice.

Contaminated Land Unit: No Objection subject to Conditions.

Head of Engineering & Transport (Highways): No Objection subject to Conditions.

Head of Engineering & Transport (Drainage): No Objection subject to Conditions.

Head of Business Strategy & Public Protection (Environmental Health): A noise survey was requested by Environmental Health due to the location of the site in relation to Princess Margaret Way.

Head of Social Services, Health & Housing: No objection subject to the provision of the 20% Affordable Housing Contribution in line with the SPG.

Welsh Water: No Objection subject to Conditions and Informative note being added to decision notice.

Biodiversity Unit: No Objection subject to Conditions.

Play Development: No comments have been received.

Description of Site and its Surroundings:

The application site is a predominantly square-shaped parcel of land approximately 0.35 hectares in area. The site measures approximately 61m wide by 65m in depth. These dimensions represent the largest measurements of the site. The site is generally flat in profile and consists of hard standing with some grass and weed areas.

The site was formerly occupied by the former Bay View Social Club, Princess Margaret Way, but this has been demolished and the site cleared to allow re-development of the site. The site is bound to the north and west by residential properties and to the south by Princess

Margaret Way and Aberavon Sea Front and to the east there is an existing public car park.

The site is located within the settlement limits as defined by the adopted Neath Port Talbot Unitary Development Plan (UDP) and is also allocated for residential development within the emerging Local Development Plan (Policy H1/19).

Brief Description of Proposal:

The initial proposal sought full planning permission for 14 dwellings, associated access, landscaping and parking. On receipt of the application, amendments were sought to address highways, design and amenity concerns.

This amended application seeks full planning permission for the redevelopment of the site for the construction of 13 dwellings, comprising 5 x two-bed dwellings, 8 x three-bed dwellings, plus associated access and landscaping works (use class C3). The dwellings include detached, semi-detached and terraced properties that will be a mix of two and three storeys. The proposal provides for frontage properties facing onto Princess Margaret Way with the remaining properties to the rear of the site and accessed via a proposed centrally located estate road. It is proposed that the dwellings will be in a New England style and will have pitched roofs. The proposed materials will include a mix of render and timber cladding and roof tiles. The proposal also includes properties that contain dormers to the front and rear with the front dormer containing patio doors and a projecting balcony with a depth of 0.95m. The three storey properties utilise the roof space for the second floor accommodation.

The proposal includes the retention of the existing access from Princess Margaret Way which serves the adjacent neighbouring property (Bay View Bungalow). This access would also serve plots 9 and 12. The new central access road from Princess Margaret Way would provide access to the remaining properties.

EIA Screening/Scoping Opinion & Habitat Regulations:

As the development is not Schedule 1 and does not exceed the column 2 criteria of Schedule 2 Development and is not a sensitive site as set down within the EIA Regulations, a screening opinion is not be required for this application.

Material Considerations:

The main issues for consideration concern the principle of development at this site, together with the impact of the proposal upon visual and residential amenity, and highway and pedestrian safety, the impact upon the landscape and ecology of the area as well as upon ground contamination and drainage having regards to prevailing planning policies.

Policy Context:

Neath Port Talbot Unitary Development Plan (UDP):

As the proposed site is located within the settlement limits as defined in the UDP, the principle of a residential development is generally acceptable, provided there are no highway, amenity or service adverse impacts.

With regards to Policy H2 of the UDP specifically, this refers to housing density. It states that:

“Proposals will generally be expected to achieve a density of 30 dwellings per hectare, and higher where the proposal is sited at or immediately adjacent to locations with good public transport accessibility such as town, district, village and local centres or in public transport corridors.”

In this particular case, the site provides 13 dwelling units on an area of 0.35 hectares, which equates to a density of 37.1 dwellings per hectare. As this exceeds the 30 dwellings per hectare minimum specified in the UDP, it is considered that the proposed layout will result in the development of a site, with a density that is in accordance with the criteria within Policy H2.

As such it is considered that the principle of development would be acceptable, subject to the development complying with the criteria of the other development plan policies. The other policies are:

GC1	New Buildings/Structures and Changes of Use
ENV13	Brownfield, Derelict and Waste Land
ENV16	Contaminated Land
ENV17	Design
T1	Location, Layout and Accessibility of New Proposals

- H2 Housing Density
 - H3 Infill and Windfall Development within Settlement Limits
 - H4 Affordable Housing
 - R03 Provision of Open Space to Serve New Residential Developments
- Affordable Housing Supplementary Planning Guidance

Visual Amenity:

The proposal seeks permission for the erection of 13 dwellings forming a terrace of three frontage dwellings to either side of a central access road. The remaining dwellings would be located to the rear of the site, accessed from the proposed estate road. The adjacent property to the south east is currently a public car park, with an existing residential development located to the North West. The existing residential development backs onto Princess Margaret Way with no street frontage to this road. As such there is no existing residential character or building pattern to this section of Princess Margaret Way. The proposed development through its proposed layout, design, and use of materials would create an attractive frontage development, while also creating a clear sense of place and identity of its own. It is therefore considered that the proposed development, subject to conditions referred to below, would replace an existing vacant site and through its design have a positive impact on the character and appearance of the surrounding area.

In order to ensure materials are appropriate visually and for this coastal location, a suitably worded condition is recommended requiring details of materials. In addition the permitted development rights for boundary treatments forward of the principal elevation of Plots 1 – 6 will also be removed. This will ensure that the attractive frontage along Princess Margaret Way is maintained and ensure the visual amenity of the properties and the wider street scene is protected.

Residential Amenity:

The closest adjacent property to the proposed development is Bay View Bungalow, and it is noted that the bungalow contains dormer windows that face towards the rear of plots 12 and 13. The rear elevation of plots 12 and 13 contains secondary windows serving bedrooms on both the first and second floors, however these rooms are also served by additional windows to other elevations. The distance between the rear elevation of plot 12 and 13 and Bay View Bungalow is approximately

14.8m. Although this distance is below the minimum standard of 21m, a condition is attached which requires the first and second floor rear bedroom windows to be obscure glazed to ensure that the privacy of the neighbouring property is maintained and as such will ensure that there are no issues of overlooking. The distance of 14.8m between plot 12 and 13 and Bay View Bungalow, together with the proposed layout of the development are deemed to be sufficient to ensure that the development would have no unacceptable overbearing impact or adverse impact in terms of overshadowing to Bay View Bungalow as a result of the proposed development.

The closest existing residential properties to the north west are a block of four flats, known as 8-11 Promenade View. These properties are located to the North West side of the shared private driveway that currently serves Bay View Bungalow. Plot 1 is shown to have no windows in its side elevation, while the block of flats has a small side facing window serving a stairway between the ground and first floor. A stairway window is considered to be a non-habitable room and as such there would be no loss of privacy or light to this window. In addition plot 1 is shown to be located 7.9m forward of the existing block of flats. Nevertheless, due to the distance of 10.6m between the proposed development and the existing flats, the dwelling shown to be located on plot 1 would not breach a 45° line draw out from the centre of the closest window within the rear elevation of the flats. As such, it is considered that the proposed development would have no unacceptable impact on these properties.

Number 12 Promenade View is one of a pair of semi-detached dwellings located to the north of the development site. The corner of the neighbouring property is approximately 14m from plot 13. Number 12 Promenade View is also set further back than Plot 13 and is also located on the opposite side of private shared drive and the boundary wall that separates the development and Promenade View. Although Plot 13's side elevation contains two windows that serve a bedroom on both the first and second floor, the windows do not result in a loss of privacy as the windows look towards the car park area and front gardens of Promenade View which are open and do not have an anticipation of privacy. The distance between Plot 13 and 12 Promenade View and the neighbouring properties set back position which is to the north of Plot 13 is also considered to be sufficient to ensure that there are no adverse impacts in terms of overshadowing or overbearing.

Within the development the distances between the plot's windows is in excess of 21m which ensures that the dwellings' privacy will not be adversely affected. Windows are only proposed to the front and rear elevations in order to maintain residential amenity. The ground floor rear elevations of all plots will be screened by an appropriate means of enclosure that will ensure that overlooking is reduced and privacy maintained. A suitably worded condition is recommended requiring a means of enclosure scheme. There are a number of projecting balconies proposed as part of the development. Although the balconies project by 0.9m, the floor space is contained within the roof space of the properties and do not project beyond the eaves or principal elevation of the dwellings. Therefore the addition of balconies is also not considered to result in a significant loss of privacy.

While a noise survey was requested by Environmental Health due to the proximity of Princess Margaret Way, in light of the adjacent residential development and its proposed allocation in the LDP, along with the absence of any likely significant noise receptors or generators in close proximity to the site, it was considered that a survey would not be required in this instance.

The development also encourages natural surveillance across the site. The introduction of a low lying wall as part of the means of enclosure between plots 1 and 13 and the shared drive will ensure that the properties adjacent to the site will be able to maintain natural surveillance across the site and the shared drive. It is also noted that the Bay View Bungalow's use of the shared drive and the bungalow orientation which fronts onto the shared drive will also ensure natural surveillance across the rear of the site. As such it is considered that natural surveillance across the site is deemed to be adequate.

Highway Safety (e.g. Parking and Access):

The proposal includes the creation of a new access into the site and the retention of the existing access that serves the neighbouring property (Bay View Bungalow). The proposal includes the provision of parking for each dwelling through the provision of a mixture of on-site dedicated parking bays or integral garages. The parking proposal indicates that the bays proposed are consistent with the Councils Approved Parking Guidelines. Therefore the parking provision is deemed adequate for the proposed development.

It is also noted that the proposed layout retains the existing private shared drive access to Bay View Bungalow which is also proposed to serve the parking areas of plots 9 and 12.

As the Head of Engineering and Transport (Highways Section) offers no objection to the proposal, subject to conditions, it is concluded that the proposed layout, access and parking arrangements would be acceptable in terms of highway and pedestrian safety, and there is also sufficient capacity within the highway network to accommodate a development of this size.

Landscaping/ Ecology (including trees & protected species):

The Council's Biodiversity Officer has confirmed that there is no objection to the proposal, and requests a condition that will ensure that all new buildings will have artificial nesting sites for birds. It is therefore considered that the proposed scheme is acceptable in terms of biodiversity.

In respect of landscaping of the site, as no specific details have been provided in relation to the hard and soft landscaping for areas that are publicly viewable, it will be conditioned as part of the application that a landscaping scheme is submitted for subsequent approval, to ensure the finished scheme is acceptable in terms of visual amenity.

Contaminated Land:

The Council's records show that the site is located within the former Aberavon Burrows which were reclaimed land using slag from the various industrial processes within the area. As such heavy metal contamination is common on such sites. Although this is the case, the Council's Contaminated Land Officer does not object to the proposal, subject to conditions requiring that a desktop assessment and any recommended work is undertaken prior to the commencement of any development on site.

Drainage:

Welsh Water has stated that the buildings or any structures of the proposed development should not be located within 3m of either side of the centreline of the public sewer. This is consistent with the layout and proposals that have been provided. As the Head of Engineering and Transport (Drainage Section) and Welsh Water both offer no objection

to the proposed development, subject to conditions, the principle of the development is considered acceptable in terms of drainage.

Affordable Housing

Policy H4 of the UDP states that “Where there is a demonstrable need, determined by reference to an up-to-date housing needs assessment...an element of affordable housing will be sought on suitable sites.” The policy continues on to state that the suitability of a site will take into account its size, the economics of provision, any particular costs associated with development of the site and any prejudice to the realisation of the other planning objectives which may constitute a priority on the site.

Further advice is available to developers within the Council’s Affordable Housing Supplementary Planning Guidance and the Affordable Housing Viability Assessment Guidance Note, with the former emphasising that a contribution of 20% is sought from all housing developments of 3 units and above.

The SPG recognises that the ability of developments to contribute to the provision of affordable housing may be constrained by the viability of the site, and states that “where the developer can demonstrate that the economics of the site cannot carry this level of contribution or that it conflicts with other over-riding planning objectives for the site, there may be scope for it to be relaxed”.

In this regard, while Officers have sought to deliver affordable housing on this site, the applicants have submitted a Viability Assessment in broad accordance with the requirements of the above guidance which concludes that the development would not be viable in the event that affordable housing (and additional public open space) were required. This assessment has been reviewed by the Council’s Estates section who has confirmed that although the assessment included a number of flaws in relation to the use of comparison sites outside of the Borough it can be concluded that even with amended information the site would remain marginal. Therefore it has been satisfactorily demonstrated that within the current market conditions the provision of affordable housing as part of the development would make it unviable.

Notwithstanding that affordable housing cannot be delivered on site currently for viability reasons, the SPG emphasises that, where appropriate, the Authority may impose s106 agreements that enable the

reassessment of viability for any dwellings not completed within 12 months of the grant of planning permission. Accordingly, the recommendation below includes the need for a section 106 agreement with a requirement that the developer shall review the viability of providing an affordable housing contribution of 20% on an annual basis until all dwellings have been completed on site. This will ensure that, in the event the market improves, that a degree of affordable housing will be able to be delivered at the site.

Others (including objections):

In response to the letter of objection received, while the report has addressed the impact on that property, it is noted that the submitted objection relates to a private right of access to the neighbouring property (Bay View Bungalow). Although not strictly a planning matter, the objection stated that the proposed layout removed this right of access, although it is noted that the plans have been amended since the original submission and the existing right of access has now been retained as part of the new site layout (Drawing 1491_Option H Rev 8).

Conclusion:

It is considered that the proposed development provides a sustainable, accessible and visually acceptable form of development which will not unacceptably impact upon the amenities of residents in adjoining properties, nor upon the character and visual amenity of the area as a whole. Furthermore, the development would not have a significant impact upon highway and pedestrian safety, nor upon existing services including foul and surface water discharges or ecological issues. Hence, the proposed development would be in accordance with Policies GC1, ENV13, ENV16, ENV17, T1, H2, H3, H4 and RO1 of the Neath Port Talbot Unitary Development Plan. Approval is therefore recommended.

Recommendation: Approval with Conditions, subject to the signing of a S106 Legal Agreement with the following Heads of Terms:

- (1) The developer shall review the viability of providing an affordable housing contribution of 20% on an annual basis until the completion of the development. Should the provision of affordable housing become viable the developer shall provide affordable housing as outlined by the Affordable Housing Supplementary Planning Guidance and in accordance with H4 of the Neath Port Talbot Unitary Development Plan and shall be retained as such thereafter.

CONDITIONS

- (1) The development hereby permitted shall be begun before the expiration of five years from the date of this permission.

Reason

To comply with the requirements of Section 91 of the Town and Country Planning Act 1990.

- (2) The development shall be carried out in accordance with the following approved plans: Drawing 1491_Option H Rev 8 (Site Plan); Drawing 1491_1-6 Rev 1 (Elevations Plots 1, 2 and 3); Drawing 1491_1-7 Rev 1 (Elevations Plots 4, 5 and 6); Drawing 1491_1-11 (Elevations Plots 7 and 8); Drawing 1491_1-10 Rev 1 (Elevations Plot 9); Drawing 1491_1-12 (Plots 10 and 11); and, Drawing 1491_1-9 Rev Opt 6a (Elevations Plots 12 and 13).

Reason

In the interest of clarity.

- (3) Prior to the construction of the dwellings hereby approved, full details and samples of the materials to be used in the construction of the external surfaces of the dwellings should be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason

In the interest of visual amenity.

(4) No development shall commence until details of a scheme for the disposal of foul and surface water has been submitted to and agreed in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details and prior to the occupation of the development and retained as such thereafter.

Reason

To protect the integrity of the public sewerage system.

(5) Foul water and surface water discharges must be drained separately from the site.

Reason

To protect the integrity of the public sewerage system.

(6) No surface water and land drainage run-off shall be allowed to connect/discharge (either directly or indirectly) to the public sewerage system.

Reason

To prevent hydraulic overload of the public sewerage system and pollution of the environment.

(7) There must be no interference, alteration or diversion of any ditch, watercourse, stream or culvert crossing or bordering the site unless otherwise agreed in writing with the Local Planning Authority.

Reason

To safeguard land drainage.

(8) Prior to occupation of each associated dwelling an aco drain shall be placed at the back of the footway along all drives which fall out onto the highway and shall be retained as such thereafter.

Reason To safeguard land drainage.

(9) No dwelling or associated structures hereby approved shall be erected within 3m either side of the centreline of the public sewer.

Reason

To protect the integrity of the public sewer and to avoid damage.

(10) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended for Wales) (or any order revoking and re-enacting that order with or without modification), no extension, outbuilding, or any other building or structure other than those approved by this permission shall be erected to the side (north western) elevations of Plots 1 and 13.

Reason

In order to to ensure protection of the public sewer and to ensure that the integrity of the easement (3m either side of the centreline) of the public sewer is maintained.

(11) Prior to the occupation of each associated dwelling, the corresponding off-street parking spaces as shown on Drawing 1491_Option H Rev 8, shall be provided on site. The spaces shall be to a gradient no greater than 1 in 9, and no flatter than 1 in 150. The spaces should be hard surfaced and be made of porous material, or provisions shall be made to direct surface water run-off from the hard surface to a permeable or porous area or surface within the curtilage of the dwelling and shall be retained as such thereafter.

Reason:

In the interests of highways safety.

(12) Prior to the first occupation of any dwelling(s) vision splays of 2.4 metres by 2.4 metres shall be provided either side of each proposed drive access. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order, 1995 (or any order revoking and re-enacting that order with or without modification), these splays shall be retained as such thereafter with nothing erected or grown over 600 mm in height within the splays.

Reason

In the interests of pedestrian and vehicular safety.

(13) Prior to the occupation of any dwellings hereby approved a plan indicating the positions, height, design, materials and type of boundary treatment to be erected to all boundaries shall be submitted to and approved in writing by the Local Planning Authority. The submitted details shall include the specifications of how Plots 1 and 13 will be separated from the existing shared driveway by a low lying wall and the boundary treatments proposed for the frontages of Plots 1-6. The

approved means of enclosures shall be erected in accordance with the agreed details prior to the occupation of each associated dwelling, and shall be retained as such thereafter.

Reason

In the interest of visual and residential amenity.

(14) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended for Wales) (or any order revoking and re-enacting that order with or without modification), no fences, gates, walls or other means of enclosure other than those approved under this permission or by condition shall be erected forward of the principal elevations of Plots 1 - 6.

Reason

In order to safeguard the amenities of the area by enabling the Local Planning Authority to consider whether planning permission should be granted for external alterations to the means of enclosures for these plots.

(15) Prior to the occupation of Plots 12 and 13, the first floor and second floor bedroom windows on the rear elevations, as specified on Drawing 1491_1-9 Rev Opt 6a shall be glazed with obscured glass and any opening vent shall be top hinged with the lowest part of the opening a maximum of 1.1 metres above the floor level of these room, and any replacement window or glazing shall be of a similar glazing and type.

Reason

In the interest of the amenities of the adjoining property and the safety of the occupiers of the applicant dwelling.

(16) Prior to the commencement of work on site a scheme to assess the nature and extent of any contamination on the site, and confirmation of whether or not it originates on the site shall be submitted to and agreed in writing with the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons in accordance with the following document:- Land Contamination: A Guide for Developers (WLGA, WAG & EAW, July 2006) and shall be submitted as a written report which shall include:

(i) A desk top study to identify all previous uses at the site and potential contaminants associated with those uses and the impacts from

those contaminants on land and controlled waters. The desk study shall establish a 'conceptual site model' (CSM) identifying all plausible pollutant linkages to be assessed.

(ii) a survey of the extent, scale and nature of contamination;

(iii) an assessment of the potential risks to:

- human health,
- ground waters and surface waters
- adjoining land,
- property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
- ecological systems,
- archaeological sites and ancient monuments;

(iv) an appraisal of remedial options, and proposal of the preferred remedial option(s).

Reason: To ensure that information provided for the assessment of the risks from land contamination to the future users of the land, neighbouring land, controlled waters, property and ecological systems is sufficient to enable a proper assessment.

(17) If identified as necessary by Condition 16, prior to the commencement of work on site a remediation scheme to bring the site to a condition suitable for the intended use by removing any unacceptable risks to human health, buildings, other property and the natural and historical environment shall be prepared and submitted to and agreed in writing with the Local Planning Authority. The scheme shall include all works to be undertaken, proposed remediation objectives, remediation criteria and site management procedures. The measures proposed within the remediation scheme shall be implemented in accordance with an agreed programme of works.

Reason :

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

(18) Prior to the first beneficial use of any of the approved dwellings, a verification report which demonstrates the effectiveness of any agreed remediation works carried out in accordance with condition 17 shall be submitted to and agreed in writing with the Local Planning Authority.

Reason

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

(19) In the event that contamination is found at any time when carrying out the approved development that was not previously identified, work on site shall cease immediately and shall be reported in writing to the Local Planning Authority. A Desk Study, Site Investigation, Risk Assessment and where necessary a Remediation Strategy must be undertaken in accordance with the following document:- Land Contamination: A Guide for Developers (WLGA, WAG & EAW, July 2006). This document shall be submitted to and agreed in writing with the Local Planning Authority. Prior to occupation of the development, a verification report which demonstrates the effectiveness of the agreed remediation, shall be submitted to and agreed in writing with the Local Planning Authority.

Reason:

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other off site receptors.

(20) Prior to the commencement of the development hereby approved, a detailed scheme showing the method of construction and surfacing of the proposed access road shall be submitted to and approved by the Local Planning Authority . The access junction and road shall be constructed on site in accordance with the approved details prior to the start of construction of any dwelling, and shall be maintained in accordance with the approved details.

Reason

In the interest of highway and pedestrian safety.

(21) Prior to the construction of any dwelling hereby approved the access road shall be made up to binder course level and drained in accordance with a specification and scheme submitted to and approved in writing by the Local Planning Authority.

Reason

In the interest of highway safety.

(22) Prior to occupation of the last dwelling the roads and footways shall be completed to wearing course and shall be retained thereafter for open and free use by the public.

Reason

In the interest of highway safety.

(23) Prior to first beneficial occupation of any dwelling hereby permitted a Traffic Regulation Order (TRO) scheme detailing junction protection measures to prevent indiscriminate on street parking shall have been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be fully implemented prior to the occupation of any dwellings.

Reason

In the interest of highway and pedestrian safety.

(24) No development shall commence until details of the proposed arrangements for future management and maintenance of the approved access roads within the development have been submitted to and approved by the Local Planning Authority. The access roads shall thereafter after be maintained in accordance with the approved management and maintenance details until such time as an agreement has been entered into under section 38 of the Highways Act 1980 or a private management and maintenance company has been established.

Reason

In the interests of highway safety.

(25) Prior to the occupation of any dwelling on site, a detailed scheme for landscaping of hard and soft surfaces that are publicly viewable including front garden areas shall be submitted to and agreed in writing with the Local Planning Authority. The approved scheme shall be carried out in the first planting season after completion of the

development or its occupation, whichever is the sooner, and any trees or plants which within a period of five years are removed, die or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and the same species, unless the Local Planning Authority gives written consent to any variation.

Reason

In the interest of visual amenity and to accord with Section 197 of the Town and Country Planning Act, 1990.

(26) Prior to occupation of the dwelling(s) hereby permitted, an artificial nesting site for birds shall be erected on a minimum of two dwellings to one of the following specifications, and retained as such thereafter;

Nest Box Specifications for House Sparrow Terrace:

Wooden (or woodcrete) nest box with 3 sub-divisions to support 3 nesting pairs. To be placed under the eaves of buildings.

Entrance holes: 32mm diameter

Dimensions: H310 x W370 x D185mm

or

Swift Nest Box Specification:

Wide box with small slit shaped entrance hole. Must be placed under or close to roofs, at least 5m from the ground.

Dimensions: H150 x W340 x D150mm

Reason

In the interest of Biodiversity.

REASON FOR GRANTING PLANNING PERMISSION

The decision to grant planning permission has been taken in accordance with Section 38 of the Planning and Compulsory Purchase Act 2004, which requires that, in determining a planning application the determination must be in accordance with the Development Plan unless material considerations indicate otherwise.

It is considered that the proposed development would not have a detrimental impact upon residential amenity or upon the character and appearance of the surrounding area and there would be no adverse impact upon highway and pedestrian safety. Hence, the proposed development would be in accordance with Policies GC1, ENV13, ENV16, ENV17, T1, H2, H3, H4 and RO1 of the Neath Port Talbot Unitary Development Plan.